

MEMORANDUM

April 2, 1970

TO: Boston Redevelopment Authority  
FROM: John D. Warner, Director  
SUBJECT: ZONING COMMISSION RECOMMENDATION

---

Re: Text Amendment Application No. 17

---

The Mayor of the City of Boston has proposed an amendment to the Boston Zoning Code which would make Use Items 11 through 14, 16b, 18 and 19 Conditional in those districts where they are now Allowed. The Use Items which would become Conditional are dormitories, fraternities, sororities, colleges, universities, trade and professional schools.

The implications of changing these uses from Allowed to Conditional are that 1) new uses in these categories would require Conditional Use Permits, which would require a hearing before the Board of Appeal and 2) existing uses in these categories would become pre-existing Conditional uses and additions to or major reconstruction of present structures would require Board of Appeal approval.

The colleges and universities have two adverse effects on the city. First, their tax exempt status reduces the tax base of the city. Second, their student populations require housing in the area either in the form of dormitories, rooming houses or apartments, thus competing for available housing and causing dislocation in residential neighborhoods.

The effects of the amendment will be to regulate the growth of existing educational institutions and to stabilize the residential character of many of the neighborhoods. Recommend approval.

VOTED: That in connection with Text Amendment Application No. 17, proposed by the Mayor to change Use Items 11 through 14, 16b, 18 and 19 to Conditional where they are now Allowed, the Boston Redevelopment Authority recommends approval. The effect of this amendment will be to regulate the growth of existing educational institutions, and to stabilize the residential character of many of the neighborhoods.

MEMORANDUM

April 2, 1970

TO: Boston Redevelopment Authority

FROM: John D. Warner, Director

SUBJECT: ZONING COMMISSION RECOMMENDATION

---

Re: Text Amendment Application No. 15  
Vose Galleries - 235 Newbury St., Boston  
Pilgrim Management Corporation  
739 Boylston Street, Boston

---

The Back Bay Federation has proposed an amendment to the Boston Zoning Code which seeks to change Use Items 11 through 14, 16b and 18. This change would make colleges, universities, dormitories, sororities and fraternities Conditional Use in General Business Districts. They are now Allowed Use in these districts.

The BRA staff is of the opinion that the proposed amendment would result in inconsistent zoning. It is recommended that the Mayor's more inclusive Text Amendment Application No. 17 be substituted for this amendment.

VOTED: That in connection with Text Amendment Application No. 15, proposed by Vose Galleries and Pilgrim Management Corporation, to change Use Items 11 through 14, 16b and 18 to Conditional Use in General Business Districts, the Boston Redevelopment Authority recommends that the Mayor's more inclusive Text Amendment Application No. 17 be substituted for this amendment.



April 2, 1970

MEMORANDUM

TO: Boston Redevelopment Authority  
FROM: John D. Warner  
SUBJECT: Zoning Commission

---

Re: Map Amendment Application No. 99  
Boundary Road, Roslindale  
James Haley, et al

---

The petitioners are 162 residents of the West Roxbury-Roslindale-Hyde Park districts of Boston. They seek to change a tract of about thirty acres of vacant land from an H-1 (Apartment) District to a S-.5 (Single Family) District. The property is triangular in shape, bounded on the west by East Boundary Road of Stony Brook Reservation, on the northeast by a low rise apartment development known as High Point Village owned by the First Realty Corporation, and on the southeast by the George Wright Golf Course.

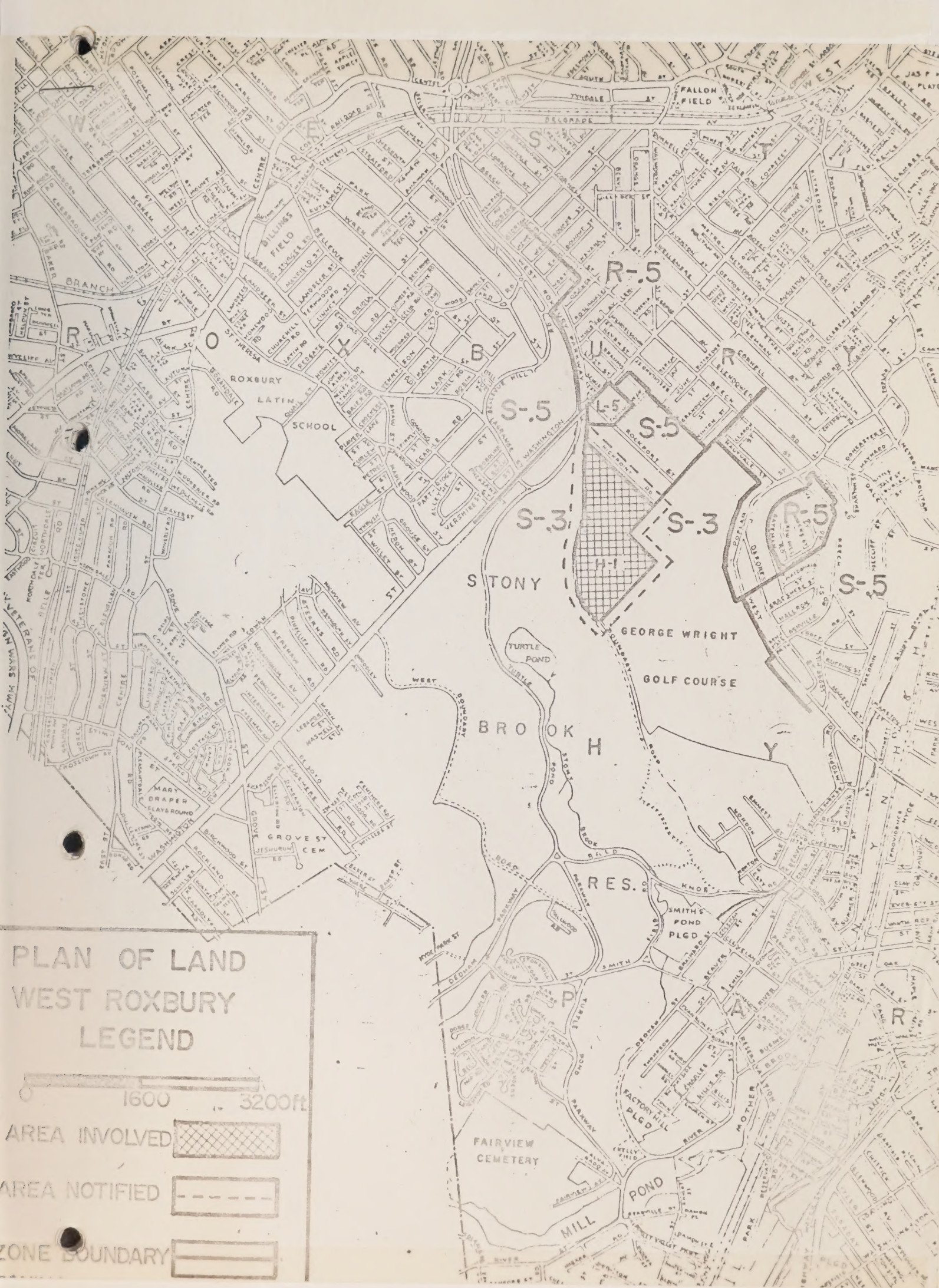
In 1965, the parcel in question was rezoned from a S-.5 District to an H-1 District by Map Amendment No. 7.

From the application, it appears that none of the petitioners either own the property to be rezoned nor do any of the petitioners abut the property to be affected. Under the Zoning Code, only an owner of property may petition the Zoning Commission to adopt an amendment of a zoning regulation which would affect his property. The proposed amendment would not directly affect the petitioners' property.

The B.R.A. requests that the Zoning Commission rule as to the legal standing of the petitioners in this matter.

VOTED: That in connection with Map Amendment Application No. 99, brought by James Haley, et al, to change about thirty acres in the West Roxbury-Roslindale-Hyde Park section of Boston from an H-1 (Apartment) District to an S-.5 (Single Family) District, the Boston Redevelopment Authority recommends that this application be referred to the Zoning Commission for a ruling as to the legal standing of the petitioners in this matter.







April 2, 1970

MEMORANDUM

TO: Boston Redevelopment Authority

FROM: John D. Warner, Director

SUBJECT: Authorization to Petition the Zoning Commission for a Map Amendment and Urban Renewal Designation in the Waterfront Urban Renewal Area - Parcel A-7.

---

Pursuant to the Waterfront Urban Renewal Plan, Parcel A-7 (approximately 55,985 square feet) is designated as a disposition parcel to be developed as a hotel. Parcel A-7 is presently in an M-2 (Manufacturing) District. It is located on the east side of Atlantic Avenue at the foot of State Street and presently contains the Quincy Cold Storage building, part of Long Wharf and some of the bed of Atlantic Avenue, which is to be realigned. Land immediately west of the parcel is zoned B-8.

A hotel is a forbidden use in an M-2 District. The dimensions of the proposed building are not compatible with a floor area ratio of 2. It is therefore requested that the Authority authorize the Director to petition the Zoning Commission to designate Disposition Parcel A-7 as a General Business Urban Renewal Area with a floor area ratio of 8 (B-8U). The Urban Renewal designation is requested because minor dimensional exceptions from B-8 regulations will be needed for the building as planned. The objective is to facilitate the development of the parcel by the Boston Waterfront Associates in accordance with the Waterfront Urban Renewal Plan.

VOTED: That the Director is hereby authorized to petition the Zoning Commission for a map amendment and an Urban Renewal Area designation for Parcel A-7, from an M-2 (Manufacturing) District to a B-8U (General Business Urban Renewal Area, with a floor area ratio of 8) District in order to implement the Waterfront Urban Renewal Plan.

MEMORANDUM

April 2, 1970

TO: Boston Redevelopment Authority  
FROM: John D. Warner, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

---

Re: Petition No. Z-1817  
Sun Oil Company  
70 River Street, Mattapan

---

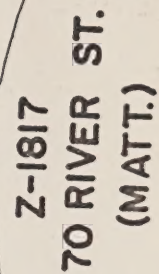
Petitioner seeks a Forbidden Use Permit, a Conditional Use Permit and variances to erect a gasoline service station in a Residential (R-.5) and a Local Business (L-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A gas service station is Forbidden in an R-.5 district		
Sect. 8-7	A gas service station is Conditional in an L-.5 district		
Sect. 20-1	Rear yard is insufficient	40 ft.	26 ft.

The property, located on River Street at the intersection of Central Avenue, contains a two bay gas service station. The petitioner proposes to combine the adjacent vacant property (8951 square feet) with the existing property (16,900 square feet) and erect a three bay facility. The staff is of the opinion that the proposed facility could be erected on the existing property. Any increase in area would represent an encroachment into a residential neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1817, brought by Sun Oil Company, 70 River Street, Mattapan, for a Forbidden Use Permit and a variance of insufficient rear yard to erect a gasoline service station in a Residential (R-.5) and a Local Business (L-.5) district, the Boston Redevelopment Authority recommends denial. The proposed facility could be erected on the existing property (16,900 sq. ft.). Any enlargement of this property would represent an encroachment into a residential neighborhood.







Re: Petition No. Z-1818  
Edgewood Realty Trust  
215-233 Blue Hill Avenue, Roxbury

Petitioner seeks a Forbidden Use Permit and four variances to erect three flour silos and a concrete block fence in an Apartment (H-1) and a Local Business (L-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A warehouse is Forbidden in an H-1 district		
Sect. 18-1	Front yard is insufficient	10 ft.	0
Sect. 19-1	Side yard is insufficient	10 ft.	0
Sect. 20-1	Rear yard is insufficient	20 ft.	0
Sect. 20-2	Accessory buildings in the rear yard shall not exceed 15 ft. in height	15 ft.	

The property, located on Blue Hill Avenue between Maywood and Edgewood Streets in the Model Cities Area contains a bakery complex (Kasanof's). The petitioner seeks to erect three 35' x 12' flour storage silos and a 16 foot high concrete block fence around the entire perimeter. A chainlink fence, approximately eight feet high, presently surrounds the property. The petitioner states vandalism has reached the point where the firm is seriously considering relocating out of the city. The staff feels that a ten foot high concrete block wall would provide sufficient protection and would be an effective deterrent to vandals. Model Cities staff is opposed at this time only because the petitioner has not submitted plans for their consideration. Recommend approval with the proviso that the concrete block wall be reduced to a height of ten feet.

VOTED: That in connection with Petition No. Z-1818, brought by Edgewood Realty Trust, 215-233 Blue Hill Avenue, Roxbury, for a Forbidden Use Permit and variances of insufficient front yard, side yard, rear yard and accessory buildings in the rear yard shall not exceed 15 feet in height to erect three flour silos and a 16 foot concrete block fence in an Apartment (H-1) and a Local Business (L-1) district, the Boston Redevelopment Authority recommends approval provided that the proposed concrete block wall be reduced to a height of ten feet. A ten foot wall would provide sufficient protection and would be an effective deterrent to vandals.





AVE.

JULIAN

FAIRBURY

**Z-1818**  
**215-233 BLUE HILL AVE.**  
**(ROX.)**

BROOKFORD

ADRIAN

INGLESIDE

DEWEY

BLUE HILL

DACIA

LOYOLA

STREET

STREET

STREET

STREET

STREET

RAND

STREET

STR

BOSTON EDISON  
TRANSFORMER

DAILY

187V-2

66.89



Re: Petition No. Z-1821  
Max C. Barron, Trustee  
815-825 Boylston Street, Boston

Petitioner seeks a variance for a change of occupancy from a restaurant without live entertainment to a restaurant with live entertainment in a General Business (B-4) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 23-2 Off-street parking is not provided	11 spaces	0

The property, located on Boylston Street between Fairfield and Gloucester Streets, contains a two story brick structure. The structure is presently occupied by a record store on the first floor and a school on the second floor. The restaurant, which is not now in use, would occupy the basement. The proposal is inappropriate and undesirable. The area is heavily congested all hours of the day and evening. No provisions have been made for off-street parking. Recommend denial.

VOTED: That in connection with Petition No. Z-1821, brought by Max Barron, 815-825 Boylston St., Boston, for a variance of off-street parking not provided for a change of occupancy from a restaurant without live entertainment to a restaurant with live entertainment in a General Business (B-4) district, the Boston Redevelopment Authority recommends denial. The proposed restaurant is inappropriate and undesirable. The area is heavily congested all hours of the day and evening. No provisions have been made for off-street parking facilities.



GLoucester

STREET

FAIRFIELD

STREET

STREET

ROAD

NEWBURN

STREET

BOYLSTON

62-4  
AUDITORIUM

EASEMENT TO MASS. TURNPIKE AUTHORITY

EXHIBIT  
AREA

124,866

BLOCK D

**Z-1821**

815-825 BOYLSTON ST.  
(B.P.)

PRUDENTIAL  
TOWER

EAST COURT

BLOCK C

1,059,326

WEST COURT

1318

TONER

HOTEL

SKATING  
RING

BLO:



Re: Petitions Nos. Z-1819-1820  
Massachusetts General Hospital  
275 & 285 Cambridge Street, Boston

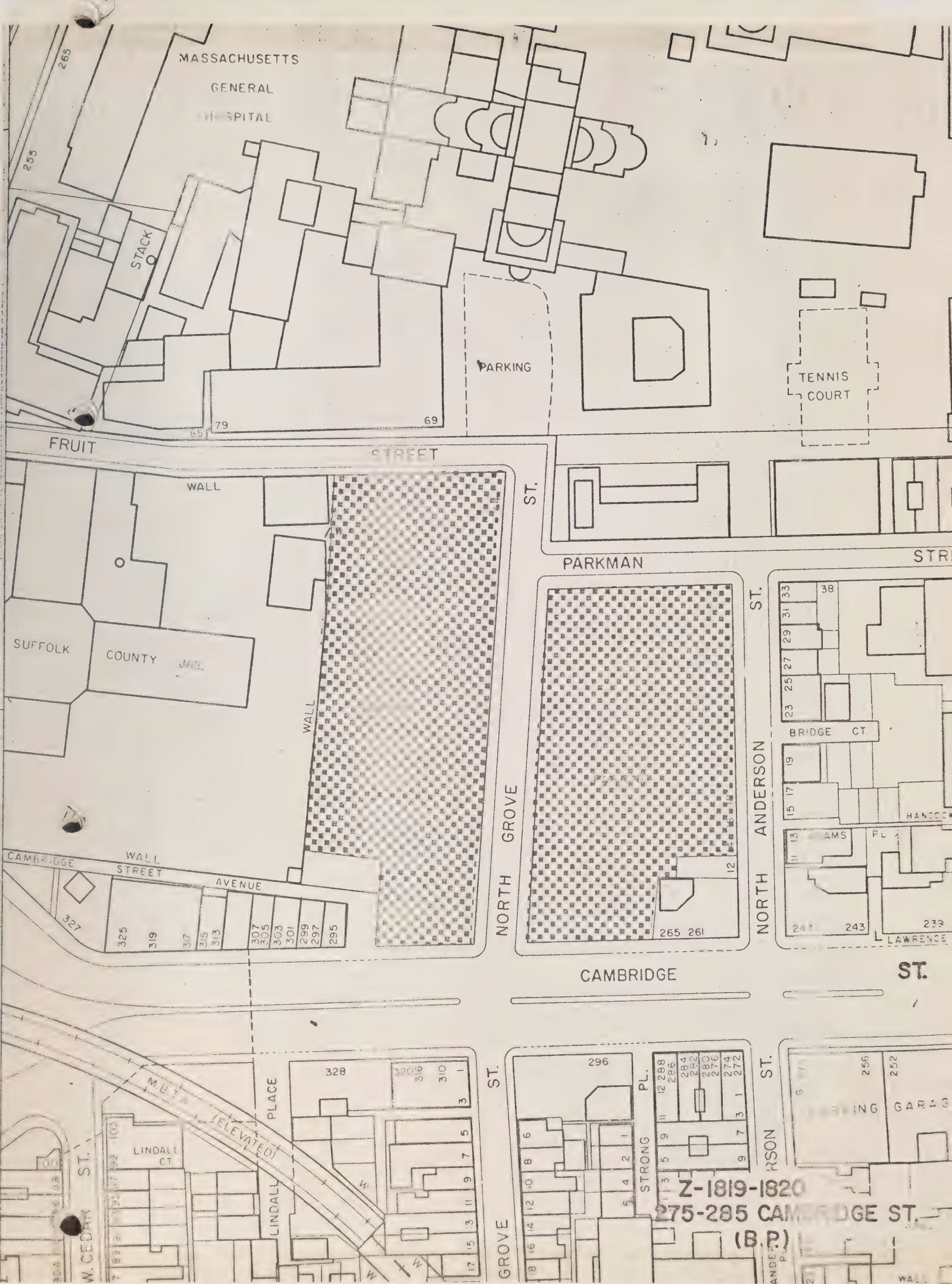
Petitioner seeks two Forbidden Use Permits and eleven variances to erect two six story parking garages in an Apartment (H-4) district. The proposal would violate the code as follows:

<u>275 Cambridge Street (48,164 sq. ft.)</u>		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A parking garage is Forbidden in an H-4 district		
Sect. 18-1	Front yard is insufficient (Cambridge St.)	15 ft.	3 ft.
Sect. 18-3	Corner traffic visibility is insufficient		
Sect. 18-4	Front yard is insufficient (Parkman St.)	15 ft.	1 ft.
Sect. 21-1	Setback of parapet is insufficient	30 ft.	1 ft.
		16 ft.	16 ft.
Sect. 15-1	Floor area ratio is excessive	4	4.1
<u>285 Cambridge Street (55,769 sq. ft.)</u>			
Sect. 8-7	A parking garage is Forbidden in an H-4 district		
Sect. 18-1	Front yard is insufficient (Cambridge St.)	15 ft.	2 ft.
Sect. 18-3	Corner traffic visibility is insufficient		
Sect. 18-4	Front yard is insufficient (Fruit St.)	15 ft.	3 ft.
Sect. 19-1	Side yard is insufficient	20 ft.	5 ft.
Sect. 21-1	Setback of parapet is insufficient	19 ft.	2 ft.
		16 ft.	15 ft.
		27 ft.	3 ft.
Sect. 15-1	Floor area ratio is excessive	4	4.6

The properties, located on Cambridge Street at the intersection of North Anderson and North Grove Streets, contains two parking lots. The petitioner proposes to erect two six story parking garages accommodating 598 and 867 cars respectively. There is no objection to the proposed garages which would provide substantial relief from the existing traffic congestion. However, the staff recommends the following provisos: 1) that access to the facilities from Cambridge Street be eliminated; 2) that an emergency lane for ambulances be provided on North Grove Street; 3) that there be no deposits of money on entering the facilities; 4) that the ticket machines be set back to provide a car reservoir; 5) that a setback and planting be provided on Cambridge Street. Recommend approval with the above provisos.

VOTED: That in connection with Petitions Nos. Z-1819-1820, brought by Massachusetts General Hospital, 275-285 Cambridge Street, Boston, for two Forbidden Use Permits and variances of insufficient front yards, corner traffic visibility, side yard, setback of parapets and excessive floor area ratio to erect two six story parking garages in an Apartment (H-4) district, the Boston Redevelopment Authority recommends approval with the following provisos: 1) that access to the facilities from Cambridge Street be eliminated; 2) that an emergency lane for ambulances be provided on North Grove Street; 3) that there be no deposits of money on entering the facilities; 4) that the ticket machines be set back to provide a car reservoir; 5) that a setback and planting be provided on Cambridge Street.







Re: Petition No. Z-1823  
Alexis Panovs  
15 Carol Circle, West Roxbury

Petitioner seeks a forbidden use permit and two variances for a change of occupancy from a two family dwelling to a four family dwelling in a Single Family (S-.5) District. The proposal would violate the code as follows:

	<u>Reqd.</u>	<u>Prop.</u>
Sect. 8-7. Any dwelling converted for more families is forbidden in an S-.5 District.		
Sect. 14-2. Lot area is insufficient.		
Sect. 23-1. Off-street parking is insufficient.		

The property, located on Carol Circle near the intersection of Washington Street, contains a two story frame dwelling presently under construction. The petitioner received a permit in September 1969 to erect a two family dwelling. He now proposes to increase the occupancy to four families. This proposed density is incompatible with the surrounding single family neighborhood and would have a detrimental affect on the abutting single family properties. Recommend denial.

VOTED: That in connection with Petition No. Z-1823, brought by Alexis Panovs, 15 Carol Circle, West Roxbury, for a forbidden use permit and variances of insufficient lot area and off-street parking for a change of occupancy from a two family dwelling to a four family dwelling in a Single Family (S-.5) District, the Boston Redevelopment Authority recommends denial. The proposed density is incompatible with the surrounding single family neighborhood and would have a detrimental affect on the abutting single family properties.



Z-1823  
15 CAROL ST.  
(W.R.)

STONY BROOK  
RESERVATION

STONY BROOK  
RESERVATION



Re: Petition No. Z-1824  
Alban Realty Trust  
1846 Commonwealth Avenue, Brighton

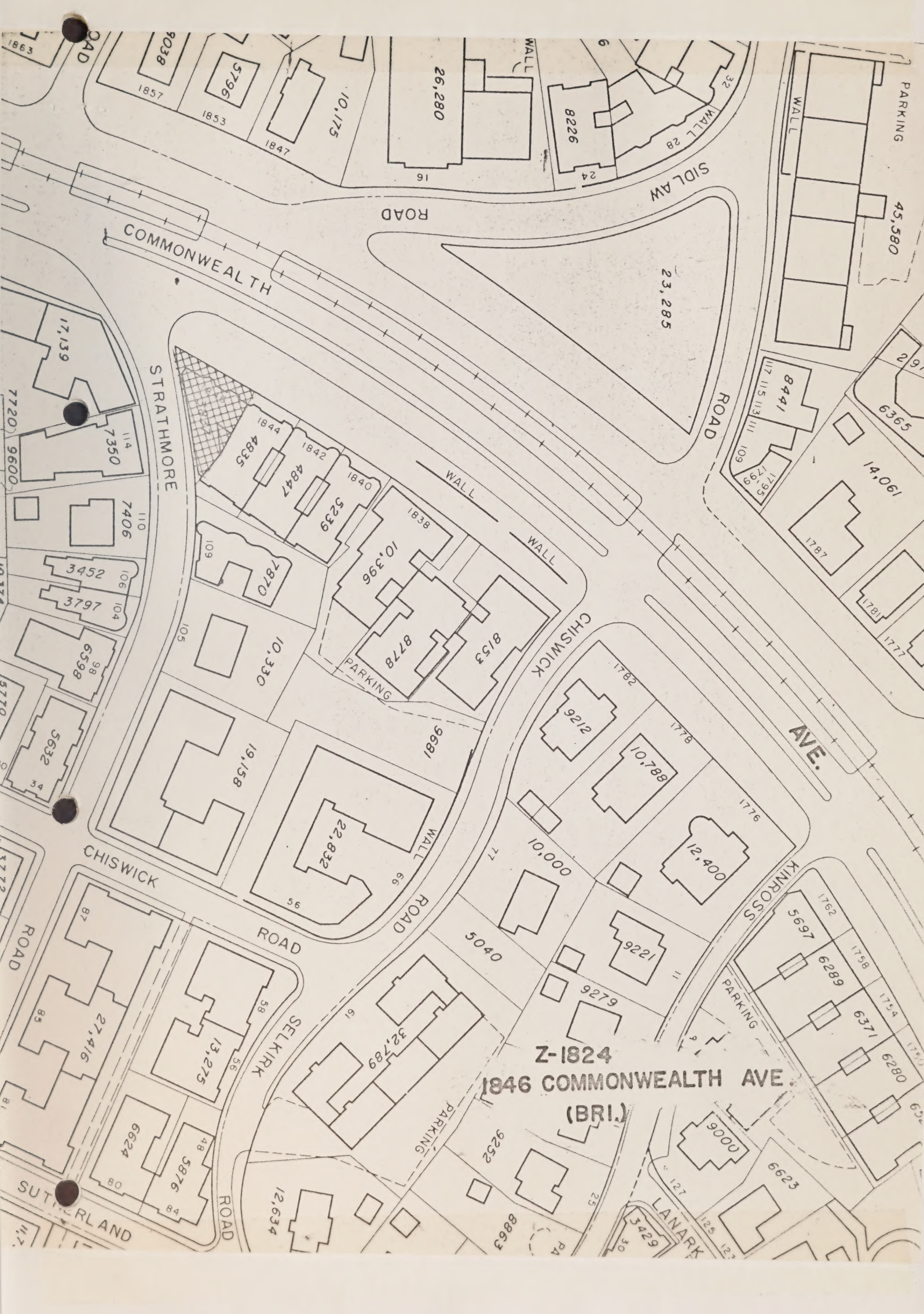
Petitioner seeks a change in a non-conforming use for a change of occupancy from 14 apartments and beauty shop to 14 apartments and laundromat in an Apartment (H-2) District. The proposal would violate the code as follows:

Section 9-2. A change of a non-conforming use requires a Board of Appeal hearing.

The property, located on Commonwealth Avenue at the intersection of Strathmore Road, contains a three story brick apartment structure. The proposed laundromat would replace a beauty shop at the street level. The staff has no objection to the laundromat which would benefit the surrounding residences. However, the existing sign should be removed and any new sign should conform to Section 11-1 of the Zoning Code. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1824, brought by Alban Realty Trust, 1846 Commonwealth Avenue, Brighton, for a change in a non-conforming use for a change of occupancy from 14 apartments and beauty shop to 14 apartments and laundromat in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval provided the existing sign is completely removed and any new sign conform to requirements of Section 11-1 of the Zoning Code.





Z-1824  
1846 COMMONWEALTH AVE.  
(BRI.)



Re: Petition No. Z-1825  
Harold Shoher Inc.  
305 Western Avenue, Brighton

Petitioner seeks two variances to erect a one story and basement addition to a repair shop garage in a Light Manufacturing (M-1) District. The proposal would violate the code as follows:

	<u>Reqd.</u>	<u>Prop.</u>
Sect. 15-1. Floor area ratio is excessive	1.0	1.25
Sect. 20-1. Rear yard is insufficient	20 ft.	0

The property, located on Western Avenue at the intersection of Everett Street, contains a one story brick structure. The proposed addition will be consistent with the character of the area. The staff would recommend that the property be suitably landscaped and that the proposed addition be kept free of signs. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1825 brought by Harold Shoher Inc., 305 Western Avenue, Brighton, for variances of excessive floor area ratio and insufficient rear yard to erect a one story and basement addition to a repair shop garage in a Light Manufacturing (M-1) District, the Boston Redevelopment Authority recommends approval provided that the property would be suitably landscaped and that the proposed addition be kept free of any signs. The proposal would be consistent with the character of the area.





SOLDIERS

STREET

350,128

WBZ  
RADIO TOWER

PARKING

Z-1825  
305 WESTERN AVE.  
(BRI.)

50,000

PARKING

138,800

42,347

315

WESTERN

342

MC. DONALD

AVENUE

36,643

PLACE

CALLAHAN

11,000

27,687

5877

5457

6334

8920

7445

3340

4000

4000

14,267

PARKING

3000

COLMAN

PLACE

33,921

7070

6000

16,990

48,291

5000

4642

3010

3140

5282

1893

5065

5728

SQUARE

3165

EVERE

3102

5793

4389

486